

## **DETAILED ACTION**

### *Response to Amendment*

1. This Office Action is in response to Applicant's Amendment dated February 16, 2008 in response to USPTO Office Action dated October 126, 2007.

Applicant's amendment has been noted and entered in the record.

The standing cancellation of claims 1-13, 15, 17-18, 20-21, 23-24, 27-37 and 41-43 is noted.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney, Mr. Francis J. Maguire, Reg. No. 31,391, in said telecon on May 29, 2008.
  - o Please cancel claims --- 16, 22, 25-26, 38-40 and 44-61---

### *Allowable Subject Matter*

4. Claims 14 and 19 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Relative to claim 14, the major difference between the teachings of the prior art of record (USP 5,317,689, Nack et al. and Pub. No. US 2002/0109819, Tuval) and that of the instant

invention, is that said prior art of record **does not teach an** apparatus, comprising: means for providing successive mixed optical images of an object space in an image space for presentation to a viewer's eye, each mixed optical image having a highly detailed component and a lesser detailed component, the successive mixed images for simulating percepts of optical images of the object space cast on a simulated eye's retina; and means for changing the image content of selected successive mixed images according to changes in the direction of the simulated eye's visual axis in the object space such that the relative direction of the visual axis of the viewer's eye with respect to the image space may analogously and passively follow the relative direction of the simulated eye's visual axis with respect to the object space by following the highly detailed component of the successive mixed optical images presented thereto such that the highly detailed component may be cast on the fovea of the retina of the viewer's eye and the lesser detailed component may be cast on at least the remainder of the retina of the viewer's eye for simulating the viewer to experience percepts corresponding to the simulated percepts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,317,689 Nack et al.

Pub. No. US 2002/0109819 Tuval

***To Respond***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINCE E. KOVALICK whose telephone number is (571)272-7669. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vincent E Kovalick/  
Examiner, Art Unit 2629  
May 30, 2008

/Bipin Shalwala/  
Supervisory Patent Examiner, Art Unit 2629

Application/Control Number: 10/038,313  
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Page 5